IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13807 of 2004

Between:

Adireddy Sathyanarayana, S/o.Appalaswamy,
S.N.V.T.Jr.College, Tanuku, W.G.Dist.

..... PETITIONER

AND

1 The Commissioner & Director of Intermediate Education, Govt.

of Andhra Pradesh, Nampally, Hyderabad.
2 The Regional Joint Dir.,Intermediate Education, Rajahmundry,

E.G.Dist.
3 The Principal S.N.V.T.Jr.College, Tanuku, W.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or orders or writ more particularly one in the nature of writ of mandamus declaring the action the action of 2nd and 3rd respondents in not considering the proposals submitted by 3rd respondent R.C.No.A/6/S/2003-04, dt.25-2-2004 for the purpose to release of salary, increments etc. due to petitioner as illegal and arbitrary and direct the respondents to act upon on xerox copies of service Register of petitioner for the purpose of release of service benefits including salary, increments etc.

Counsel for the Petitioner:MR.M.L.ALI

Counsel for the Respondent Nos. 1 and 2: GP FOR COOPERATION

Counsel for the Respondent No.3_____

The Court at the stage of admission made the following O R D E R:

The petitioner is working as a Physical Director in the third respondent-College. The case of the petitioner is that third respondent did not pay his salary from 10-09-2001 to 05-06-2002 and did not release the increments with effect from 28-07-2001 and other service benefits due to non-availability of service register with the third respondent, as the same is with the Anti-Corruption Bureau (ACB) authorities for the purpose of investigation into FIR No.27/ACB/Woc/2002, dated 28-07-2001. Therefore, he filed W.P.No.23635 of 2002 seeking a direction to the ACB authorities to release his service register. The said writ petition was disposed of by this Court, on 22-01-2003 with a direction to the third respondent therein to supply the Xerox copies of the service register to the petitioner. After obtaining the Xerox copies of the service register, the petitioner made a representation on 12-06-2002 to the respondents for release of the increments, salary and other benefits. As the respondents did not consider his representation, he again filed W.P.No.11510 of 2003 and the same was disposed of by this Court on 19-06-2003 with a direction to the respondents therein to consider the representation of the petitioner and pass appropriate orders. Pursuant to the said direction, the second respondent issued proceedings dated 02-08-2003 stating that original service register is required for sanction of increments and leave salary benefits etc., and requested the petitioner to obtain the service register and send it to the second respondent's office for taking further action. While so, the third respondent addressed a letter, dated 25-02-2004 to the first respondent seeking instructions to act upon the Xerox copies of the service register for the purpose of release of salary, increments etc., as per the directions of this Court in W.P.No.23635 of 2002. The second respondent also forwarded a proposal to the first respondent enclosing the attested copy of the service register for according sanction.

The grievance of the petitioner is that so far the first respondent did not consider the proposals sent by the third respondent dated 25-02-2004, followed by second respondent's proceedings, hence, he approached this Court by way of the present writ petition.

Heard both sides and considered the material available on record.

In the light of the circumstances explained by the petitioner, I deem it appropriate to direct the first respondent to take necessary steps for the release of increments, arrears of salary and other benefits to the petitioner, to the extent he is entitled to, on the basis of the Xerox copies of the service register of the petitioner, if necessary by getting the original service register from the ACB officials for the purpose of making entry and send it back to them for investigation, within a period of two months from the date of this order.

The writ petition is accordingly disposed of with the above directions. No order as to costs.

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05-08-2004

To

1 The Commissioner & Director of Intermediate Education, Govt.

of Andhra Pradesh, Nampally, Hyderabad.
2 The Regional Joint Director Intermediate Education,

Rajahmundry, E.G.Dist.
3 Two C.Cs to the Government Pleader for Education,

High Court Buildings, A.P., Hyderabad (OUT)

4 Two C.D copies